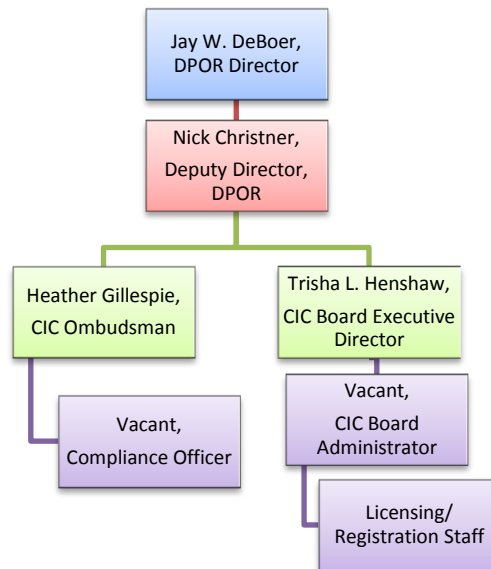


2016 UPDATES AND INFORMATION

COMMON INTEREST COMMUNITY BOARD & OFFICE OF THE COMMON INTEREST COMMUNITY OMBUDSMAN

DPOR ORGANIZATION | CIC Board & Ombudsman's Office



WHO WE REGULATE | License/Registration Types

- Common Interest Community (CIC) Managers
 - Certified Principal or Supervisory Employees
 - Training Programs
- Associations
 - Condominium Unit Owners', Property Owners', and Cooperatives
- Condominium Projects
- Time-Share Projects
 - Exchange Companies, Alternative Purchases
 - NEW: Time-Share Resellers

WHO WE ARE | CIC Board Membership

The CIC Board is composed of 11 members appointed by the Governor. Board members' terms are four years and a member can serve up to two terms. The *Code of Virginia* stipulates that the Board's membership is composed of:

- Three (3) Representatives of Common Interest Community Managers
- One (1) Attorney | Practice Includes Representing Associations
- One (1) CPA | Provides Attest Services to Associations

- One (1) Time-Share Industry Representative
- Two (2) Representatives of Developers of CICs
- One (1) Citizen Serving/Served on Self-Managed Association Governing Board
- Two (2) Citizens Residing in Common Interest Communities

ASSOCIATION REGISTRATIONS | Change in Renewal Fees

Did you know that the renewal filing fees for all association registrations went from a staggered fee (based on number of lots/units) ranging from \$30 to \$170 to a **flat fee of \$10**? This temporary change was effective March 1, 2015 and was originally scheduled to end on June 30, 2016. However, the Board recently voted **to extend the reduction for another year**. The \$10 fee now applies to renewals received **on or before June 30, 2017**.

TIME-SHARE REGULATIONS | New Requirements Effective 3/1/2016

The Board began a comprehensive review of the Time-Share Regulations in 2013. On March 1, 2016, the results of that review became effective. In addition to launching the **new** registration of **time-share resellers** (HB233, 2012), the amendments included adding specificity and clarity to:

- Public Offering Statement provisions
- Post Registration provisions, including:
 - Public offering statement amendments
 - Termination of time-share project registrations
 - Non-material changes
 - Annual reports
- Phase amendment applications
- CIC Board's disciplinary authority and prohibited acts

REGULATION INFORMATION | Current Regulatory Actions

The Board establishes the rules for licensure through its **regulations** and **guidance documents**. The *Code of Virginia* (law) provides the Board's authority to establish regulations. The Board can amend, adopt, and repeal its regulations through regulatory actions.

The Board has the following regulatory actions in process:

Current Action	What it means	Current stage
Ombudsman Regulations Timeframe for Establishing Complaint Process	Amendment to ensure the timely establishment of a complaint process for existing association; consideration of other changes as necessary.	Proposed Undergoing Executive Branch Review. Next, the proposed text will be published and a 60-day public comment period will commence.

CIC Manager Regulations Amendment to Training Program Provisions	Amendment to correct references to those who must complete two-hour CIC law and regulations training program and two-hour CIC fair housing training program. Currently includes initial applicants and renewal applicants, but only applies to renewal. Additional clarifications may be made at the Board's discretion.	Proposed Undergoing Executive Branch Review. Next, the proposed text will be published and a 60-day public comment period will commence.
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PROPERTY OWNERS' ASSOCIATIONS | Best Practices for Declarations

As a result of legislation that was passed during the 2015 General Assembly Session, and signed into law by the Governor, § 54.1-2349 of the Code of Virginia was amended to require the Common Interest Community Board (Board) to "*develop and publish best practices for the content of declarations consistent with the requirements of the Property Owners' Association Act* (§ 55-508 et seq.)." The Board formed a committee of stakeholders to develop a draft Best Practices document, published the draft to provide an opportunity for the public to comment. The draft was ultimately adopted at the **December 10, 2015**, Board meeting. You may review the *Best Practices for the Content of Property Owners' Associations' Declarations* at www.dpor.virginia.gov/CIC-Board/.

VIRGINIA CODE COMMISSION | Title 55 Recodification Workgroup

In June, various stakeholders began meeting to begin the task of developing an organization plan for recodification of Title 55 of the Code of Virginia. Since this title deals with property and conveyances, both the CIC Board Executive Director and the CIC Ombudsman are participating, with a specific focus on those chapters relating to common interest communities and time-shares.

OFFICE OF THE CIC OMBUDSMAN | General Information

From November 2015 to June 30, 2016, the Office has received 916 phone calls, 1,358 emails, and 107 complaints. Of the complaints submitted, 28 were Notices of Final Adverse Decision (NFAD). While the NFADs run the gamut from late fees to agenda packets, the three most common complaints were related to meeting notice, methods of communication, and access to books and records. Other topics included misuse of executive session, recording meetings, and failure to hold an annual meeting.

Of the total number of complaints received, 46 were related to the Property Owners' Association Act, 24 to the Condominium Act, 1 to the Virginia Real Estate Cooperative Act, and 32 related to the Virginia Real Estate Time-share Act.

ADDITIONAL INFORMATION | How to Contact Us

Have more questions? Contact the CIC Board office or the CIC Ombudsman!

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